

**FILED**

December 28, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY: J.A. Ward  
DEPUTY

***United States Court of Appeals***  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE,  
Suite 115  
NEW ORLEANS, LA 70130

December 28, 2023

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 23-50869      State of Texas v. DHS  
USDC No. 2:23-CV-55

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk

*Christina Rachal*

By: Christina C. Rachal, Deputy Clerk  
504-310-7651

Mr. Ari Cuenin  
Mr. Philip Devlin  
Mr. Christopher A. Eiswerth  
Mr. Robert D. Green  
Mr. Robert E. Henneke  
Mr. James Andrew Mackenzie  
Mr. Steven Andrew Myers  
Mr. Aaron Lloyd Nielson  
Ms. Melissa Nicole Patterson  
Mr. Ryan Daniel Walters

United States Court of Appeals  
for the Fifth Circuit

United States Court of Appeals  
Fifth Circuit

**FILED**

December 28, 2023

\_\_\_\_\_  
No. 23-50869  
\_\_\_\_\_

Lyle W. Cayce  
Clerk

STATE OF TEXAS,

*Plaintiff—Appellant,*

*versus*

UNITED STATES DEPARTMENT OF HOMELAND SECURITY;  
ALEJANDRO MAYORKAS, *Secretary, U.S. Department of Homeland  
Security*; UNITED STATES CUSTOMS AND BORDER PROTECTION;  
UNITED STATES BORDER PATROL; TROY MILLER, *Acting  
Commissioner, U.S. Customs and Border Protection*; JASON OWENS, *in his  
official capacity as Chief of the U.S. Border Patrol*; JUAN BERNAL, *in his  
official capacity as Acting Chief Patrol Agent, Del Rio Sector United States  
Border Patrol,*

*Defendants—Appellees.*

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 2:23-CV-55  
\_\_\_\_\_

UNPUBLISHED ORDER

Before HAYNES, WILLETT, and DUNCAN, *Circuit Judges.*

PER CURIAM:

No. 23-50869

IT IS ORDERED that appellee's opposed motion to expedite the appeal is GRANTED. The merits panel will set a briefing schedule and argument date.